

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
                                )  
                                )  
                                ) Case No. 1:06-CR-140-005  
v.                              )  
                                )  
                                ) Chief Judge Curtis L. Collier  
KERMIT JUNIOR STILES, III   )

**ORDER**

On April 30, 2007, United States Magistrate Judge William B. Mitchell Carter conducted a plea hearing in this case and filed a Report and Recommendation (“R&R”). The R&R recommends (1) the Court accept the defendant’s guilty plea as to Count One of the Indictment, to the extent it charges the lesser included offense of conspiracy to distribute five hundred (500) grams or more of a mixture and substance containing cocaine hydrochloride in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B); (2) the Court adjudicate the defendant guilty of the charge to which he has pleaded; (3) the Court accept the defendant’s plea agreement at the time of sentencing; and (4) the defendant be taken into custody pending sentencing (Court File No. 176).

Neither party has filed objections to the R&R within the given ten (10) days. Therefore, after reviewing the record, the Court **ACCEPTS** and **ADOPTS** the R&R (Court File No. 176) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** as follows:

- (1) The defendant’s guilty plea to the lesser included offense of Count One of the Indictment is **ACCEPTED**;
- (2) The defendant is hereby **ADJUDGED** guilty of the charge to which he has pleaded;

- (3) A decision to accept the plea agreement is **DEFERRED** until sentencing; and
- (4) The defendant **SHALL REMAIN IN CUSTODY** until sentencing. Sentencing is set for **Thursday, August 9, 2007, at 9:00 a.m.**

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**